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LOK SABHA SECRETARIAT

NOTIFICATION

New Delhi, the 11th January 1956

THE LOK SABHA SECRETARIAT (CONDUCT) RULES, 1955

S.R.O. 122.—In exercise of the powers conferred by rule 19 of the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955, the Speaker hereby makes the following rules, namely:

1. *Short title.*—These rules may be called the Lok Sabha Secretariat (Conduct) Rules, 1955.

(2) These rules shall be deemed to have come into force on and from the First day of October, 1955.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) “members of the family” in relation to the officers employed in the Lok Sabha Secretariat include:

(i) the wife, child or step-child of an officer whether residing with him or not, and in relation to an officer who is a woman, the husband residing with her and dependent on her; and

(ii) any other person related whether by blood or by marriage to an officer or to such an officer's wife or husband and wholly dependent on such officer; but does not include a wife or husband legally separated from the officer or child or step-child who is no longer in any way dependent upon him or her, or whose custody the officer has been deprived by law.

(b) All words and expressions used in these rules and not defined shall have the meanings respectively assigned to them in the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955.

3. *General.*—Every officer shall at all times maintain absolute integrity and devotion to duty.

4. *Acceptance of gifts.*—Save as otherwise provided in these rules,—

(1) no officer shall, except with the previous permission of the Secretary:

(a) accept directly or indirectly on his own behalf or on behalf of any other person, or

(b) permit any member of his family so to accept,
any gift, gratuity or reward or any offer of such gift, gratuity or reward.

(2) A complimentary present of flowers or fruits or similar articles of trifling value may be accepted.

(3) An officer may accept, or permit any member of his family to accept, from his personal friend, a wedding present of a value which is reasonable in all the circumstances of the case:

Provided that such acceptance or permission shall be reported to the Secretary, and if Secretary so requires the present shall be returned to the donor.

(4) If a question arises whether any gift is of a trifling value or not, or where an officer is in any doubt whether a gift offered to him is of a trifling value or not, a reference shall be made to the Secretary by such an officer and the decision of the Secretary thereon shall be final.

Explanation.—Whether or not a gift should be treated as of a trifling value shall depend on who the donor is and the circumstances in which the gift is made. A gift exceeding in value 1/20th of the monthly emoluments of the officer or Rs. 20/- (whichever is less) from a person who is not his relation or his personal friend shall ordinarily be regarded as a gift not of trifling value. Gifts from relatives and personal friends upto the value of 1/8th of the monthly emoluments of the officer or Rs. 50/- whichever is less, or even upto the value of one half of such emoluments or Rs. 200/- whichever is less, on special occasions may be regarded as of trifling value.

5. *Public demonstrations in honour of officers.*—Except as otherwise provided in this rule,—

(1) No officer shall, except with the previous permission of the Secretary,

(a) receive any complimentary or valedictory address or accept any testimonial or attend any public meeting or entertainment held in his honour; or

(b) take part in the presentation of a complimentary or valedictory address or give a testimonial to any other officer or former officer or attend a public meeting or entertainment held in honour of any such officer.

(2) An officer may at the request of any public body, sit for a portrait, bust or statue not intended for presentation to him.

(3) An officer may take part in the raising of a fund to be expended, in recognition of the services of any other officer or the foundation of a scholarship or on any other public or charitable object or on the execution of any portrait, bust or statue not intended for presentation to such an officer; provided that he shall not solicit any subscription in aid of such fund.

(4) An officer may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself or to any other officer, on the occasion of retirement from service or transfer from the Secretariat.

6. *Lending and borrowing.*—(1) No officer shall, except with the previous permission of the Secretary, lend money, with or without interest, to any person:

Provided that an officer may make an advance of pay to a private servant, or give a loan of small amount free of interest to a personal friend or relative.

(2) No officer shall, save in the ordinary course of business with a bank or a firm of standing, borrow money from or otherwise place himself under pecuniary obligation to any person in the Secretariat, or any other person with whom he is likely to have official dealings, nor shall he permit any member of his family, except with the previous permission of the Secretary, to enter into any such transaction:

Provided that an officer may accept a purely temporary loan of small amount free of interest from a personal friend or relative or operate a credit account with a *bona fide* tradesman.

Explanation.—This rule, in so far as it relates to the lending to or borrowing of money by officers from Co-operative Societies whether registered under Act II of 1912, or under the State Law, shall be subject to any general or special restrictions or relaxations made or permitted in that behalf.

7. *Buying and selling of houses and other valuable property.*—Save in the case of a transaction conducted in good faith with a regular dealer an officer, who intends to enter into any transaction of purchase or transfer, sale or otherwise of any property, movable or immovable exceeding Rs. 200 in value, shall declare such intention to the Secretary. The declaration shall state fully the circumstances leading to the transaction, the price offered or demanded, and, in the case of transfer otherwise than by sale, the proposed mode of transfer.

8. *Holding and acquiring of immovable property.*—(1) No officer shall, save in good faith for the purpose of his own residence, acquire any immovable property by purchase, gift or otherwise except with the previous permission of the Secretary.

(2) Every officer shall make to the Secretary a declaration of all immovable property which may from time to time be held or acquired by him or by any member of his family living with, or in any way dependent upon him.

(3) Such declaration shall be made on first appointment to the Secretariat, and thereafter at an interval of every twelve months and state the district within which the property is situated and shall contain such further information as the Secretary may, by general or special order, require.

9. *Investments other than those in immovable property.*—(1) No officer shall make or permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

(2) Subject to the provisions of sub-rule (1) an officer may,—

(i) hold or acquire shares in any company, including a mining or agricultural company, which has for its object the development of the resources of the country; or

(ii) deposit money in a Scheduled Bank; or

(iii) make investments in non-agricultural societies registered under Act II of 1912 and intended for Government servants only; or

(iv) make investment or place deposits in registered co-operative societies other than the above.

(3) Any of the provisions of this rule, in so far as they relate to registered co-operative societies, may be restricted or relaxed by any general or special orders issued by the Secretary.

10. *Insolvency and habitual indebtedness.*—(1) When an officer is adjudged or declared an insolvent, or when one moiety of his salary is constantly being attached, or has been continuously under attachment for a period exceeding two years or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he shall render himself liable to disciplinary action.

(2) When a moiety of an officer's salary is attached, the matter shall be reported to the Secretary and the report shall show what the proportion of the debts is to the salary, how far they detract from the debtor's efficiency as an officer; whether the debtor's position is irretrievable; and whether in the circumstances of the case, it is desirable to retain him in the post occupied by him when the matter was brought to notice, or in any post in the Secretariat.

(3) In every such case the burden of proving that the insolvency or indebtedness is the result of circumstances, which in the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, shall be upon the debtor.

11. *Promotion and management of companies.*—No officer, whether on leave or in service, shall, without the previous permission of the Secretary, take part in the promotion, registration or management of any banking or other company.

12. *Private trade or employment.*—No officer shall, without the previous permission of the Secretary, engage in any trade or undertake any employment, other than the duties entrusted to him by the Secretariat.

(2) An officer may, with the previous permission of the Secretary, undertake occasional work of a literary or artistic character provided that his public duties do not suffer thereby; but the Secretary may, in his discretion, at any time, forbid him to undertake or require him to abandon any employment which in his opinion is undesirable.

Explanation.—The post of the Secretary or other office of a club does not constitute employment under this rule, provided that it does not occupy so much of an officer's time as to interfere with his official duties and that it is an honorary office, that is to say, that it is not remunerated by any payment in cash, or any equivalent thereof other than the customary concession, free quarters and personal exemption from messing charges only. Any officer proposing to become an Honorary secretary of a club should inform the Secretary who will decide whether such permission should be granted.

13. *Taking up of employment outside Secretariat during leave.*—No officer while on leave other than leave preparatory to retirement, shall, save with the

previous permission of the Secretary in writing, take up any service or employment outside the Secretariat.

Explanation I.—Grant of permission of such employment during leave preparatory to retirement is governed by the provisions of rule 69 of the Fundamental Rules.

Explanation II.—This rule does not apply to casual literary work or to service as an examiner nor does it apply to acceptance of foreign service which is governed by rule 110 of the Fundamental Rules.

14. Official documents or information not to be communicated to outsiders.—No officer shall, unless generally or specially permitted by the Secretary, communicate directly or indirectly to any other officer of the Secretariat, or to other Government servant or to any private person, or to the Press, any document or information which has come into his possession in the course of his official duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.

15. Relations with Members of Parliament.—(1) No officer shall have any business dealings with a member of parliament or share any residential accommodation with any such member.

(2) The provisions of this rule shall apply notwithstanding that an officer is related to the member concerned.

(3) This rule does not debar an officer from accepting an invitation from a member to a marriage party or to a social gathering or a general party.

16. References to officers in applications.—(1) No officer shall in any application for any post give reference to an officer of the Secretariat unless he has obtained the consent of the officer.

(2) No such officer shall give his consent under sub-rule (1) except after obtaining the previous permission of the Secretary.

17. Seeking of redress from courts in respect of service matters.—(1) An officer may seek redress from the Secretary in the matter of grievances arising out of his employment or conditions of service.

(2) An officer, who resorts to a Court of Law (even in cases where such a remedy is legally admissible) without first exhausting all the remedies available to him under the rules regulating his conditions of service shall render himself liable to disciplinary action.

18. Contacts with press.—(1) No officer shall, without the previous permission of the Secretary, acquire any interest in any newspaper or other periodical publication or take any part in the conduct or management of any such newspaper or publication.

(2) No permission under sub-rule (1) shall be granted in respect of any newspaper or periodical publication which is devoted mainly to matters of a political character and any such permission granted may, at any time, be withdrawn without any reasons being assigned therefor.

19. Anonymous contribution to press.—(1) Any officer may, with the previous permission of the Secretary, contribute any matter anonymously to the press:

Provided that such matter does not relate to any controversial subject.

(2) The Secretary may withdraw the permission granted by him under sub-rule (1) without assigning any reason.

20. Contacts with radio.—(1) No officer shall, except with the previous permission of the Secretary or any other officer to whom power is delegated in this behalf, or in the *bona fide* discharge of his duties, participate in a radio broadcast.

(2) Any officer who intends to make a radio broadcast shall submit to the Secretary a copy of the text of his broadcast well in advance, and shall not broadcast it save with the permission of the Secretary and with such alterations, if any, as the Secretary may direct.

21. Public criticism of Government or foreign countries.—(1) No officer shall in any document published under his own name or in any public utterance deli-

vered by him, make any statement of fact or opinion which is capable of embarrassing

(a) the relations between Parliament, the Central Government or a State Government and the people of India or any section thereof; or

(b) the relations between India and any foreign country.

(2) Any officer who intends to publish any document under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by this rule may arise, shall submit to the Secretary a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver, and shall not publish the document or deliver the utterance, save with the permission of the Secretary and with such alterations, if any, as the Secretary may direct.

22. *Evidence before committees.*—(1) No officer shall, except with the previous permission of the Secretary, give evidence before any public committee.

(2) In giving any such evidence an officer shall not criticise the policy or decisions of the Secretariat or the Government of India or the Government of any State.

(3) Nothing in this rule shall apply to,—

(a) evidence given before a committee which has power to compel the attendance of witnesses or the production of documents; or

(b) evidence given before an authority holding any judicial or departmental inquiry.

23. *Absence from duty.*—(1) No officer shall ordinarily absent himself from duty without obtaining the previous permission for such absence.

(2) In case of absence due to sudden illness or some other unforeseen circumstances beyond his control, an officer shall inform the Head of the Branch if he is a non-gazetted officer, or his next superior officer if he is a gazetted officer.

(3) All applications for leave for more than three days on grounds of ill-health shall be supported by a medical certificate from a registered Medical Practitioner. The absentee may, if considered necessary, be called upon to produce a medical certificate from his authorised Medical Attendant or the Civil Surgeon.

24. *Taking part in politics or elections.*—(1) No officer shall take part in, subscribe in aid of, or assist in any way, any political movement.

(2) No officer shall become a member of any political party in any capacity. He shall not attend any meetings or functions, either public or private, organised by or at the instance of any of the political organisations. He shall keep himself aloof at all times from political parties and shall not assist them, either directly or indirectly, in the propagation of their views, ideals or schemes. He shall not subscribe to any literature belonging to any political party.

Explanation.—The expression “political movement” includes any movement or activity tending directly or indirectly to excite disaffection against or to embarrass the Government as by law established, or to promote feelings of hatred or enmity between different classes of people or to disturb the public peace.

(3) No officer shall permit any person dependent on him for maintenance or under his care or control to take part in, or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established.

Explanation.—An officer shall be deemed to have permitted a person to take part in or assist a movement or activity within the meaning of this rule if he has not taken every possible precaution and done everything in his power to prevent such person so acting or if, when he knows or has reason to suspect that such a person is so acting he does not at once inform the Secretary.

(4) No officer shall canvass or otherwise interfere or use his influence in connection with, or take part in, any election to a legislative or local body:

Provided that an officer who is qualified to vote at such election may exercise his right to vote, but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

(5) An officer who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or a prospective candidate for election to a legislative or local body

shall be deemed, for the purposes of this rule, to take part in any election to such body.

25. *Vindication of acts and character of officers.*—(1) No officer shall, without the previous permission of the Secretary, have recourse to any court or to the press for the vindication of his official acts or character from defamatory attacks. In granting permission to the recourse to a court, the Secretary shall, in each case, decide whether the Secretariat shall bear the costs of the proceedings, or whether the officer concerned shall institute the proceedings at his own expense, and, if so, whether, in the event of a decision in his favour, the Secretariat shall reimburse him to the extent of the whole or any part of the costs.

(2) Nothing in this rule shall limit or otherwise affect the right of any officer to vindicate his private acts or character.

26. *Canvassing of non-official or other outside influence.*—No officer shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service in this Secretariat.

27. *Collection of subscription for public causes.*—(1) No officer shall, without the previous permission of the Secretary, circulate amongst other officers appeals for subscriptions for public causes, through the official machinery during office hours.

(2) No outsider shall be allowed access to any of the rooms of the Secretariat for such purposes.

28. *Secretariat property not to be taken out without permission.*—No officer shall take out any article or property belonging to the Secretariat outside the Parliament House without the permission of the Secretary.

29. *Contravention of prohibition laws.*—(1) Any contravention of prohibition laws, or any other law, by an officer shall be regarded as a serious matter, of which notice shall be taken departmentally.

(2) In case where such a contravention is followed by conviction in a Court of Law, the officer may be punished departmentally on the basis of that conviction alone without following the procedure laid down for departmental enquiries.

30. *Bigamous marriages.*—(1) No officer who has a wife living shall contract another marriage without first obtaining the permission of the Secretary, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

(2) Where an officer applies for the permission referred to in the preceding rule, he shall state the reasons for another marriage, the arrangement proposed to be made for the living and maintenance of the first wife, or wives, and the details of children by previous marriage or marriages.

(3) The Secretary, after considering such a request, may or may not grant the permission to marry again. If he grants the permission it shall be subject to such conditions as he may deem fit. If the permission is refused, the officer shall refrain from marrying again.

31. *Arrests on a criminal charge.*—It shall be the duty of an officer, who has been arrested on a criminal charge made or a proceeding taken against him in connection with his position as a Government servant which is likely to embarrass him in the discharge of his duties or which involves moral turpitude, to intimate the fact of his arrest and the circumstances connected therewith, to the Secretariat, promptly in writing even though he might have subsequently been released on bail. Failure on the part of the officer concerned to so inform, will be regarded as suppression of material information and will render him liable to disciplinary action on this ground alone, apart from any action that may be taken against him on the conclusion of the case against him.

32. *Delegation of power.*—The Secretary may, from time to time, by general or special order, delegate all or any of his functions under these rules to any officer of the Secretariat.

33. *Contravention of the rules.*—(1) Any officer contravening the provisions of any of these rules shall render himself liable to disciplinary action.

(2) Notwithstanding anything contained in these rules, every officer is expected to apply the rules of prudence, reasonable conduct and sound commonsense in his approach to various matters.

34. *Power of the Speaker.*—Nothing in these rules shall be deemed to affect the power of the Speaker to make such orders, from time to time, as he may deem fit for regulating the conduct of the officers of the Secretariat, in respect of matters for which these rules do not make any provision or make insufficient provision.

35. *Interpretation.*—If any question arises relating to the interpretation of these rules, it shall be referred to the Speaker whose decision thereon shall be final.

36. *Repeal and Saving.*—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the officers of this Secretariat, are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

[No. 1(20)-SD/56.]

~~CHAND NARAIN, Under Secy.~~

M. N. Kaul, Secretary.

